

# **INVITATION TO BID**

**CITY OF WOODBURN**  
**DOWNTOWN TRANSIT FACILITY**  
**PROJECT No. 2009-014-28**  
**BID No. 2010-04**

Sealed bids for the construction of **"Downtown Transit Facility"** will be received by the City of Woodburn, OR at City Hall Annex, 190 Garfield St. until **2:00 PM, Thursday, March 11, 2010** and will thereafter be publicly opened and read.

Proposals shall be addressed to the City Engineer, City of Woodburn, 190 Garfield St., Woodburn, OR 97071. Bids shall be submitted in a plain sealed envelope bearing the Bidder's name, the name of the project and the date and time of the Bid opening, and shall be clearly marked "**Bid No. 2010-04**", and Bidders shall indicate on the Form of Proposal that ***"Bidder will comply with the provisions of Chapter 279C.840, Oregon Revised Statutes" or 40 U.S.C 276a.***

Work under this contract will be founded in part with grants founds from American Recovery and Reinvestment Act (ARRA) funding that is provided by U.S. DOT in a manner consistent with Federal guidance. Contractor shall comply with all applicable federal regulations in addition to all other specifications, terms and conditions of this invitation for Bid. A list of the Federal regulations is attached to this invitation to bid. Work performed on the project is subject to the higher of the prevailing wages rates under the Oregon Prevailing Wages Law and the Federal Davis-Bacon Act. *The work under this contract is also subject to disadvantaged business enterprise (DBE) requirements.*

## **DESCRIPTION OF THE PROPOSED WORK:**

The proposed work consists of removing and disposing of 1900 square feet of existing concrete surfacing, 285 L.F. of type "C" curb, and 2,500 square feet of AC surfacing; relocate a bus shelter; disassemble an existing canopy and transport parts to a City facility; construct 1275 square feet of an 8" reinforced commercial driveway, 3240 square feet of an 8" reinforced concrete parking lot; install 120 LF of 6" D.I. pipe; install 80 ft of 2" electrical conduit, one street light (16 ft cast aluminum anchor base with an acorn style luminaire); install permanent paving markings, ten curb stops, two bollards, and one ADA access ramp; job site restoration.

Plans and specifications may be examined at the City Engineer's Office, City Hall Woodburn, OR on or after **Thursday, February 18, 2010**. Copies of the Contract Documents may be obtained from the City Engineer's Office upon deposit of a non-refundable fee of fifty dollars (\$50.00) for each set. Additionally plan sets are available for viewing at the following locations;

*DJC Plan Center – Portland, OR*

*Contractor's Plan Center – Clackamas, OR*

*McGraw Hill Dodge Plan Center – Portland, OR  
Salem Contractor's Exchange – Salem, OR*

Bidders must be pre-qualified in accordance with the laws of the State of Oregon. Completed pre-qualification forms shall be mailed or delivered to the City of Woodburn at least 7-days prior to bid opening for Bidder to retain the right to protest the bid. Prequalification Forms are available in PDF format off the City website at [www.woodburn-or.gov/publicworks/bidsrfps.aspx](http://www.woodburn-or.gov/publicworks/bidsrfps.aspx).

**No bid for a construction contract shall be received or considered unless the bidder is registered with the Construction Contractors Board or licensed by the State Landscape Contractors Board.**

Bidders on this project need not be licensed for asbestos handling pursuant to ORS 468A.720. Each bidder must indicate on the bid form whether they are a resident or nonresident bidder as defined in ORS 279A.120 (b).

All proposals shall be made on the proposal forms. All proposals shall be accompanied by a Bid Bond, equal to ten percent (10%) of the total bid. Bid Bond shall be forfeited to the City if the Contractor fails to execute the contract within 7-days after acceptance of the bid and award of the Contract.

**Pursuant to ORS 279C.370, bidders on public works projects with a contract value of \$100,000 or more are required to disclose, 2-hours after bid opening, the bidders first-tier subcontractors. The bidder shall provide the information as required on City of Woodburn first-tier disclosure form, provided in the contract documents.**

At the discretion of the Project Manager Addenda and Contract clarifications shall either be posted on the City, Engineering Division website or delivered to Plan Holders via facsimile. Potential Bidders should check the website on a daily basis the last week before the Bid Opening date. Website can be found at [www.woodburn-or.gov/publicworks/bidsrfps.aspx](http://www.woodburn-or.gov/publicworks/bidsrfps.aspx). Addenda must be signed and submitted with the Bid Proposal to be considered a responsive offer.

Although contract award is expected to be made by the City Council on **March 22, 2010**, the City of Woodburn reserves the right to reject any and all bids not in compliance with prescribed bidding procedures and requirements, and may reject for good cause any and all bids upon a finding of the Agency if it is in the public interest to do so. The three (3) lowest bidders may not withdraw or modify his bid prior to the lapse of 35-days after the bid opening.

This project must be completed within **sixty (60) calendar days** after the dated "Notice to Proceed".

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Christina Shearer, City Recorder  
City of Woodburn, OR 97071

## FEDERAL REGULATIONS

ALL OR PART OF THIS CONTRACT IS FEDERALLY FUNDED. Contractor shall comply with the following applicable federal regulations in addition to all other specifications, terms and conditions of this Invitation for Bid.

The following provisions and references can be reviewed in Purchasing.

Contractor shall comply with the following provisions regardless of the contract amount:

<a href="#"><u>Drug and Alcohol Testing</u></a>		49 U.S.C. §5331 49 CFR PARTS 653 & 654 49 CFR PART 661
<a href="#"><u>Charter/School Bus Requirements.</u></a>		49 U.S.C. §5323 (d) 49 CFR PT 604 & 605
<a href="#"><u>Cargo Preference</u></a>		46 U.S.C. 1241 46 CFR PART 381
<a href="#"><u>Seismic Safety</u></a>		42 U.S.C. 7701 et seq 49/ CFR PT 41
<a href="#"><u>Energy Conservation Requirements</u></a>		42 U.S.C. 6321 et seq 49 CFR PART 18
<a href="#"><u>Bus Testing</u></a>		49 U.S.C. 5323 (c) 49 CFR PART 665
<a href="#"><u>Pre-Award and Post Delivery Audit Requirements</u></a>		49 U.S.C. 5323 49 CFR PART 663
<a href="#"><u>Access to Records and Reports</u></a>		49 U.S.C. 5325 18 CFR 18.36 (l) 49 CFR 633.17 49 CFR PART 18
<a href="#"><u>Federal Changes</u></a>		
<a href="#"><u>No Government Obligation to Third Parties</u></a>		
<a href="#"><u>Program Fraud</u></a>		31 U.S.C. 3801 49 CFR PART 31 18 U.S.C 1001 49 U.S.C. 5307
<a href="#"><u>Federal Privacy Act Requirements</u></a>	5 U.S.C. 552	
<a href="#"><u>Civil Rights</u></a>		NUMEROUS, SEE MANUAL
<a href="#"><u>Patent Rights, Rights in Data</u></a>		37 CFR PART 401 49 CFR PARTS 18 & 19
<a href="#"><u>Transit Employee Protective Agreements</u></a>		49 U.S.C. § 5310, § 5311, § 5333 29 CFR PART 215 49 CFR PART 23
<a href="#"><u>Disadvantaged Business Enterprises</u></a>		
<a href="#"><u>State and Local Law Requirements</u></a>		
<a href="#"><u>Incorporation of Federal Transit Administration (FTA)</u></a>		FTA CIRC 4220.1D
Contractor shall comply with the following provisions if this is a construction contract exceeding \$2,000:		
<a href="#"><u>Davis-Bacon Act</u></a>		40 U.S.C. & 167; 276a-276a-5 (1995) 29 CFR § 5 (1995)
<a href="#"><u>Contract Work Hours and Safety Standards</u></a>	40 U.S.C.	§ 327-333 29 CFR § 5, 29 CFR § 1926 40 U.S.C. 276c, 29 CFR § 3 29 CFR § 5
<a href="#"><u>Copeland Act</u></a>		
Contractor shall comply with the following provisions if this contract amount exceeds \$10,000:		
<a href="#"><u>Recycled Products</u></a>		42 U.S.C. 6962
<a href="#"><u>(Total purchased in current or prev FY)</u></a>		40 CFR PART 247, EX. ORDER 12873
<a href="#"><u>Termination</u></a>		49 U.S.C. PART 18, FTA CIRC 4220.1D
Contractor shall comply with the following provisions of the Federal Acquisition regulations (FAR) if this contract amount exceeds \$100,000:		
<a href="#"><u>Government-wide Debarment and</u></a>		49 CFR PART 29, EXECUTIVE ORDER 12549
<a href="#"><u>(Suspension Nonprocurement)</u></a>		
<a href="#"><u>Buy America Requirements</u></a>		49 U.S.C. §5323 (j)

[Clean Water](#)  
[Lobbying](#)

33 U.S.C. 1251  
31 U.S.C. 1352  
49 CFR PART 19

[Bonding Requirements](#)  
[Clean Air](#)

FTA GRANT AGMT PT II SEC 118 (h&l)  
42 U.S.C. 7401 et seq 40 CFR 15.61  
49 CFR PART 18  
49 CFR PART 20

[Breach of Contract and Dispute Resolution](#)

49 CFR PART 18, FTA CIRC 4220.1D

CFR=Code of Federal Regulations  
U.S.C. = United States Code

EO = Executive Order Updated 3/31/99 @ fe